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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,205	10/28/2003	Bennett M. Richard	D5407-216	4513

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EXAMINER
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COZART, JERMIE E

ART UNIT	PAPER NUMBER
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3726

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/695,205	<b>Applicant(s)</b> RICHARD ET AL.	
	<b>Examiner</b> Jermie Cozart	<b>Art Unit</b> 3726	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9,12-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 10,11 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date, ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/28/03 &amp; 3/3/05</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Layne (1,854,517).

Layne discloses manufacturing a screen for downhole use, by inserting a base pipe (10) into a cylindrically shaped filter layer (20), and securing the filter layer (20) to the base pipe (10) by changing one of their dimensions (i.e. shrink gripping the filter to the pipe). An interference fit is created via the shrink grip between the base pipe and the filter layer via, wherein the size of the filter layer (20) is reduced. The filter layer (20) is secured to the base pipe without welding, adhesives or mechanical connectors. See page 2, lines 13-88, and figures 1-3 for further clarification.

3. Claims 1, 2, 4, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Broome et al. (US 6,305,468 B1).

Broome discloses manufacturing a screen for downhole use, by inserting a base pipe (34) into a cylindrically shaped filter layer (20), and securing the filter layer to the

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base pipe by changing one of their dimensions by passing the pipe with the filter through a die (32). An interference fit is created between the base pipe and the filter layer via die (32), wherein the size of the filter layer (20) is inherently reduced. The filter layer (20) is secured to the base pipe without welding, adhesives or mechanical connectors. A protective jacket (10) is mounted to the filter layer (20) before inserting the base pipe (34). *See column 2, line 66 – column 3, line 49, and figures 1-2 for further clarification.*

4. Claims 1, 3, and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Echols (6,941,652 B2).

Echols discloses manufacturing a screen for downhole use, by inserting a base pipe (38) into a cylindrically shaped filter layer (40), and securing the filter layer (40) to the base pipe by changing one of their dimensions (i.e. the filter (40) is provided with a protective shroud (42) which inherently increases the filter's thickness and aids in attachment to the base pipe). The base pipe is expanded. The base pipe and filter layer are inserted downhole, and the base pipe (38) is expanded downhole via a swage (col. 4, lines 49-55). *See column 4, line 23 – column 5, line 54, and figures 1-7 for further clarification.*

5. Claims 15 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Arterbury et al. (5,190,102).

Arterbury discloses manufacturing a screen for downhole use, by inserting a base pipe (38) into a cylindrically shaped filter layer (42), applying a material (44) to the base pipe to contact the filter layer, and applying heat via welding to the base pipe to allow the material (44) to secure the filter layer to the base pipe, wherein a coating (col.

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7, lines 17-25) is used on the outer surface of the base pipe (38) as the material (44) applied to the base pipe (38), and the filter layer is secured to the base pipe with the coating. *See column 5, line 24 – column 8, line 49, and figures 1-5 for further clarification.*

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 8, 9, and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Layne (1,500,828) in view of Pogonowski (3,885,298).

Layne discloses manufacturing a screen for downhole use, by inserting a base pipe into a cylindrically shaped filter layer, and securing the filter layer to the base pipe.

Layne, however, does not disclose securing the filter layer to the base pipe by changing one of their dimensions, creating an interference fit between the base pipe and the filter layer, expanding said base pipe, securing the filter layer to the base pipe without welding, adhesives or mechanical connectors, expanding the base pipe for at least a portion of the length of the filter layer, expanding the base pipe near the ends of the filter layer, or expanding the base pipe for the entire length of the filter layer and beyond.

Pogonowski discloses joining two pipes (14, 15) to one another by expanding the base pipe (15) via swaging device (10), in order to effectively seal the pipes to one another. *See entire document for further clarification.*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to secure the filter layer to the base pipe of Layne by changing one of their dimensions, to create an interference fit between the base pipe and the filter layer, to expand the base pipe of Layne, to secure the filter layer to the base pipe without welding, adhesives or mechanical connectors, to expand the base pipe for at least a portion of the length of the filter layer, to expand the base pipe near the ends of the filter layer, and to expand the base pipe for the entire length of the filter layer and beyond, in light of the teachings of Pogonowski, in order to effectively join the members to one another.

***Allowable Subject Matter***

8. Claims 10, 11, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The reference cited on the attached PTO-892 is cited to show an expandable screen.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermie Cozart whose telephone number is 571-272-4528. The examiner can normally be reached on Monday-Thursday, 7:30 am - 6:00 pm.

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11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Jermie S. Cozart". The signature is stylized with a large, sweeping "J" and a long horizontal line extending to the right.

Jermie Cozart  
Examiner  
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